

**THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

**BRIAN R. VAUGHAN and JASON
DARNELL, individually and on behalf of
all others similarly situated,**

Plaintiffs,

v.

**BIOMAT USA, INC., TALECRIS
PLASMA RESOURCES, INC., and
INTERSTATE BLOOD BANK, INC.,**

Defendants.

Case No.: 20-cv-04241

Honorable Marvin E. Aspen

Magistrate Judge Jeffrey Cole

**DEFENDANTS' MOTION TO DISMISS PLAINTIFFS' AMENDED COMPLAINT
PURSUANT TO FEDERAL RULE OF CIVIL PROCEDURE 12(b)(6)**

Pursuant to Fed. R. Civ. P. 12(b)(6), Defendants Biomat USA, Inc. ("Biomat"), Talecris Plasma Resources, Inc. ("TPR") and Interstate Blood Bank, Inc. ("IBBI"), by their undersigned attorneys, hereby move to dismiss Plaintiffs' Amended Complaint. In support of their Motion to Dismiss, Defendants incorporate by reference their Memorandum in Support of Their Motion to Dismiss Plaintiffs' Amended Complaint, which is being filed contemporaneously with this Motion.

Dated: December 17, 2021

Respectfully submitted,

**BIOMAT USA, INC., TALECRIS PLASMA
RESOURCES, INC., and INTERSTATE
BLOOD BANK, INC.,**

By: /s/ Neil H. Dishman
One of Their Attorneys

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CERTIFICATE OF SERVICE

I, Neil H. Dishman, an attorney, certify that on December 17, 2021, I caused a true and correct copy of the attached DEFENDANTS' MOTION TO DISMISS PLAINTIFFS' AMENDED COMPLAINT PURSUANT TO FEDERAL RULE OF CIVIL PROCEDURE 12(b)(6) to be served on the following counsel of record by filing with the Court's CM/ECF filing system:

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/s/ Neil H. Dishman